

Mr. Jeff S. Jordan, Supervisory Attorney December 29, 2008  
Office of General Counsel  
Complaints Examination & Legal Administration  
Federal Elections Commission  
999 E Street, N.W.  
Washington, DC 20463  
Ph. 202-694-1650

2009 JAN -6 P 2:17

Ref. Complaint MUR6111

Dear Mr. Jordan:

Thank you for your confirming letter of "Nov - 3 2008" in which you responded to my October 22nd revised complaint that was received in your office on October 27, 2008. My letter today is in response to your invitation to send additional information on this matter.

**Background**

My first letter of complaint regarding a biased public forum to the Federal Elections Commission (FEC) was dated October 12, 2008. A copy of this letter was also sent to both cosponsors of the planned October 16, 2008 forum on WOSU Media---Mr. Tom Rieland at WOSU Public Media and Ms. Jane Scott at the Columbus Metropolitan Club. Accordingly, the cosponsors were given a heads-up regarding my concerns. The public forum was billed as featuring candidates for election in the 15th Ohio Congressional District. However, Mark Noble, one of the four on-ballot candidates was excluded, without explanation, from the public debate. This background information does not give new facts.

**New fact #1**

On October 30, 2008, the WOSU Radio Open Line call-in show featured "The Race for the 15th Congressional District" at 11:00 am. Again, only three of the four candidates, Don Elijah Eckhart, Mary Jo Kilroy, and Steve Stivers, were invited to participate. The introductory remarks by talk-show host Fred Andrie defined the three candidates, but did not mention Mark Noble or the station policy that caused his exclusion.

However, late in the broadcast, a caller, Elizabeth, asked why Mark Nobel, a minor-party candidate was not invited. Host Andrie then reviewed the station policy. Had it not been for the call-in by Elizabeth, the listening audience would have not been told (a) that the Station has a policy of exclusion or (b) that Mark Nobel is a bona fide

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candidate in the 15th Ohio Congressional District. [The archived record of this radio program is on [www.wosu.org](http://www.wosu.org)]

**New Fact #2**

Because the race in the 15th District was a very close race between Mary Jo Kilroy and Steve Stivers, the results were only recently announced. The count posted on the World Wide Web by the Ohio Secretary of State is:

Casper	----	6	-	(Write-in)
Kilroy	----	139,582	-	45.9%
Eckhart	---	12,915	-	4.25%
Noble	-----	14,061	-	4.6%
Stivers	---	<u>137,271</u>	-	45.2%
TOTAL		303,835		

**New Comment #1**

The WOSU Public Media's policy on Third-Party or Independent Candidates (Ref. October 8th Letter from Paula May, Attachment A, enclosed with my October 12th letter) carries several arbitrary criteria for excluding qualified candidates from public debates or discussions. That is, WOSU functioned as a political action committee (PAC) when it included independent candidate Don Elijah Eckhart and excluded third-party candidate Mark Noble.

New Fact #1 revealed that the application of the WOSU policy not only physically excluded Mark Noble from the October 30th radio call-in program, neither the policy nor Mr. Noble's name would have been mentioned if a caller had not inquired about what's going on.

New Fact #2 showed that both candidates Eckhart and Noble received a vote of confidence from over 10,000 citizens. These many citizens, who support the platforms of either Eckhart or Noble, far out-number the few authors of the WOSU policy.

Sincerely,

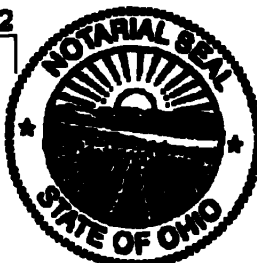
*Bill Buckel*

Bill Buckel

Columbus, OH 43212

Subscribed and sworn to before  
me on this on this 30  
day of December, 2008.

*Nina Borghese*



Nina Borghese  
Notary Public, State of Ohio  
My Commission Expires November 01, 2010

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